

# **EXHIBITS**

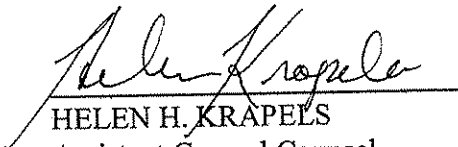
UNITED STATES PAROLE COMMISSION

CERTIFICATE

I, Helen H. Krapels, Assistant General Counsel in the Office of General Counsel for the United States Parole Commission, with offices at 5550 Friendship Boulevard, Chevy Chase, Maryland 20815, hereby certify that the attached exhibits are true copies of documents found in the U.S. Parole Commission's file pertaining to Bintzler, Kirk Federal Register Number 01938-089.

IN WITNESS WHEREOF, I have signed this 29th day of May, 2008, and affixed the seal of the U.S. Parole Commission.



  
HELEN H. KRAPELS  
Assistant General Counsel  
U.S. Parole Commission

5H PAR3J 540\*23 \*  
PAGE 001 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 02-20-2008

\* 02-20-2008  
\* 10:35:16

REGNO...: 01938-089 NAME: BINTZLER, KIRK E

FBI NO.....: 891900T7  
ARS1.....: CCC/A-DES  
UNIT.....: GEN WORK  
DETAINERS.....: YES

DATE OF BIRTH: 01-19-1960  
QUARTERS.....: H03-006L  
NOTIFICATIONS: YES

PRE-RELEASE PREPARATION DATE: 12-29-2007

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.  
THE INMATE IS PROJECTED FOR RELEASE: 06-29-2008 VIA GCT REL

-----CURRENT JUDGMENT/WARRANT NO: 020-----

COURT OF JURISDICTION.....: WISCONSIN, EASTERN DISTRICT  
DOCKET NUMBER.....: 94-CR-87  
JUDGE.....: CURRAN  
DATE SENTENCED/PROBATION IMPOSED: 11-09-1994  
DATE COMMITTED.....: 05-10-2004  
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT  
PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$50.00	\$00.00	\$1,500.00	\$00.00
RESTITUTION...:	PROPERTY: NO	SERVICES: NO	AMOUNT: \$00.00	

-----CURRENT OBLIGATION NO: 010-----

OFFENSE CODE.....: 136  
OFF/CHG: 18: 922(G)(1), UNLAWFUL POSSESSION OF A FIREARM BY A  
CONVICTED FELON.

SENTENCE PROCEDURE.....: 3559 SRA SENTENCE  
SENTENCE IMPOSED/TIME TO SERVE.: 75 MONTHS  
TERM OF SUPERVISION.....: 3 YEARS  
DATE OF OFFENSE.....: 02-26-1994

G0002 MORE PAGES TO FOLLOW . . .

**EXHIBIT**

5H PAR3J 540\*23 \*  
PAGE 002 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 02-20-2008

\* 02-20-2008  
\* 10:35:16

REGNO...: 01938-089 NAME: BINTZLER, KIRK E

-----CURRENT COMPUTATION NO: 020-----

COMPUTATION 020 WAS LAST UPDATED ON 01-25-2007 AT DSC AUTOMATICALLY  
COMPUTATION CERTIFIED ON 01-25-2007 BY DESIG/SENTENCE COMPUTATION CTR

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN  
CURRENT COMPUTATION 020: 020 010

DATE COMPUTATION BEGAN.....: 04-20-2004  
TOTAL TERM IN EFFECT.....: 75 MONTHS  
TOTAL TERM IN EFFECT CONVERTED...: 6 YEARS 3 MONTHS  
EARLIEST DATE OF OFFENSE.....: 02-26-1994

JAIL CREDIT.....: FROM DATE THRU DATE  
03-16-1994 06-14-1995

TOTAL PRIOR CREDIT TIME.....: 456  
TOTAL INOPERATIVE TIME.....: 0  
TOTAL GCT EARNED AND PROJECTED...: 294  
TOTAL GCT EARNED.....: 270  
STATUTORY RELEASE DATE PROJECTED: 06-29-2008  
SIX MONTH /10% DATE.....: N/A  
EXPIRATION FULL TERM DATE.....: 04-19-2009

PROJECTED SATISFACTION DATE.....: 06-29-2008  
PROJECTED SATISFACTION METHOD....: GCT REL

REMARKS.....: 04-20-2004, DCB = DATED PAROLED. 01-24-2007, RELEASE AUDIT  
COMPLETED BY DSCC, DJ/SIERRA.

G0002

MORE PAGES TO FOLLOW . . .

5H PAR3J 540\*23 \*  
PAGE 003 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 02-20-2008

\* 02-20-2008  
\* 10:35:16

REGNO...: 01938-089 NAME: BINTZLER, KIRK E

----- CURRENT DETAINERS: -----

DETAINER NO...: 001  
DATE LODGED...: 07-02-2004  
AGENCY.....: PAROLE COMMISSION  
AUTHORITY....: US PAROLE COMMISSION  
CHARGES.....: WARRANT DETAINER

----- CURRENT NOTIFIES: -----

NOTIFY NO.....: 001  
DATE RECEIVED: 09-16-2004  
NAME OR TITLE: STATE OF WISCONSIN  
AUTHORITY....: DIVISION OF COMMUNITY CORRECTIONS  
ADDRESS.....: 1819 KENILWORTH PLACE  
MILWAUKEE, WI 53202  
PHONE NUMBER.: (414) 227-4788

G0002

MORE PAGES TO FOLLOW . . .

5H PAR3J 540\*23 \*  
PAGE 004 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 07-29-1993

\* 02-20-2008  
\* 10:35:16

REGNO...: 01938-089 NAME: BINTZLER, KIRK E

FBI NO.....: 891900T7  
ARS1.....: CCC/A-DES  
UNIT.....: GEN WORK  
DETAINERS.....: NO

DATE OF BIRTH: 01-19-1960  
QUARTERS.....: H03-006L  
NOTIFICATIONS: NO

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S PRIOR COMMITMENT.  
THE INMATE WAS SCHEDULED FOR RELEASE: 07-29-1993 VIA MAND REL

-----PRIOR JUDGMENT/WARRANT NO: 010-----

COURT OF JURISDICTION.....: WISCONSIN, EASTERN DISTRICT  
DOCKET NUMBER.....: 87-CR-107  
JUDGE.....: EVANS  
DATE SENTENCED/PROBATION IMPOSED: 01-05-1988  
DATE WARRANT ISSUED.....: N/A  
DATE WARRANT EXECUTED.....: N/A  
DATE COMMITTED.....: 02-02-1988  
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT  
PROBATION IMPOSED.....: NO  
SPECIAL PAROLE TERM.....:

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED.:	\$100.00	\$00.00	\$00.00	\$00.00

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----PRIOR OBLIGATION NO: 010-----

OFFENSE CODE.....: 132  
OFF/CHG: POSSESSION OF A FIREARM BY A CONVICTED FELON  
T 18, U.S.C. 922(G) (1)

SENTENCE PROCEDURE.....: 924(A)/5871 GCA FIREARMS GRTR THAN 1YR  
SENTENCE IMPOSED/TIME TO SERVE.: 10 YEARS  
DATE OF OFFENSE.....: 08-26-1987

REMARKS.....: \$100.00 ASSESSMENT PAID IN FULL 07-10-1989

G0002 MORE PAGES TO FOLLOW . . .

5H PAR3J 540\*23 \*  
PAGE 005 OF 005 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 07-29-1993

\* 02-20-2008  
\* 10:35:16

REGNO.: 01938-089 NAME: BINTZLER, KIRK E

-----PRIOR COMPUTATION NO: 010-----

COMPUTATION 010 WAS LAST UPDATED ON 07-29-1993 AT OXF AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN  
PRIOR COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 01-05-1988  
TOTAL TERM IN EFFECT.....: 10 YEARS  
TOTAL TERM IN EFFECT CONVERTED...: 10 YEARS  
EARLIEST DATE OF OFFENSE.....: 08-26-1987

JAIL CREDIT.....:	FROM DATE	THRU DATE
	08-26-1987	09-04-1987
	09-16-1987	01-04-1988

TOTAL JAIL CREDIT TIME.....: 121  
TOTAL INOPERATIVE TIME.....: 0  
STATUTORY GOOD TIME RATE.....: 10  
TOTAL SGT POSSIBLE.....: 1200  
PAROLE ELIGIBILITY.....: COMMISSION'S DISCRETION  
STATUTORY RELEASE DATE.....: 05-24-1994  
TWO THIRDS DATE.....: 05-06-1994  
180 DAY DATE.....: 03-09-1997  
EXPIRATION FULL TERM DATE.....: 09-05-1997

NEXT PAROLE HEARING DATE.....: N/A  
TYPE OF HEARING.....: CONTINUE TO EXPIRATION

ACTUAL SATISFACTION DATE.....: 07-29-1993  
ACTUAL SATISFACTION METHOD.....: MAND REL  
ACTUAL SATISFACTION FACILITY.....: OXF  
ACTUAL SATISFACTION KEYED BY.....: RLF

DAYS REMAINING.....: 1499  
FINAL PUBLIC LAW DAYS.....: 0

G0000

TRANSACTION SUCCESSFULLY COMPLETED

U.S. Department of Justice  
United States Parole Commission  
Chevy Chase, MD 20815

# NOTICE OF ACTION

PAROLE FORM H-7  
AUG. 85

NAME: BINTZLER, Kirk Edward

REGISTER NUMBER: 01938-089

INSTITUTION: Leavenworth

In the case of the above-named the following parole action was ordered:  
Continue to expiration with the special drug aftercare condition.

## (REASONS/CONDITIONS)

Your offense behavior has been rated as category SIX severity because you illegally possessed multiple firearms, a silencer, and converted a weapon to automatic fire capability. Your salient factor score is 4. You have been in custody a total of 8 months. Guidelines established by the Commission which consider the above factors indicate a range of 64-78 months to be served before release for cases with good institutional adjustment and program achievement. After review of all relevant factors and information presented, a decision above the guidelines appears warranted because: your offense behavior involved the following aggravating factors: you were involved with many dangerous weapons while in custody you continued to deal in illegal firearms. Also, you were involved with a pound of ungraded purity cocaine.

As required by law, you have also been scheduled for a statutory interim hearing during April 1990.

SALIENT FACTOR SCORE (SFS-81): Your individual salient factor score items have been computed as shown below. For an explanation of the salient factor score items, see reverse side of this form.

ITEM A = 1; B = 1; C = 1( )\*; D = 0; E = 0; F = 1; TOTAL SCORE = 4  
\*If five or more prior commitments, place an 'x' in the parenthesis in Item C.

Appeals procedure: You may appeal a decision to the National Appeals Board under 28 CFR 2.26.

May 12, 1988  
(DATE)

North Central  
(REGION)

CAROL PAVILACK GETTY  
(COMMISSIONER)

dat  
(CLERK)

DC

**EXHIBIT**

B



U.S. Department of Justice  
United States Parole Commission

- (XX) Certificate of Mandatory Release  
( ) Certificate of Mandatory Release to Special Parole  
( ) Certificate of Special Parole  
( ) Certificate of Court Designated Parole

1993 AUG -2 PM 1:25

It is certified that BINTZLER, Kirk Edward (Name)

01938-089

(Register No.)

now confined in the Federal Correctional Institution, Oxford, Wisconsin (Facility)

(X) MANDATORY  
RELEASE

is entitled to 1,499 days Statutory and/or Extra Good Time deductions from the maximum term of sentence imposed as provided by law, and is hereby released from this institution under said sentence on July 29, 19 93. Said person was released by the undersigned according to Title 18, U.S.C. Section 4163. Upon release the above named person is to remain under the jurisdiction of the United States Parole Commission, as if on parole as provided in Title 18, U.S.C. Section 4164, as amended under the conditions set forth on the reverse side of this certificate, and is subject to such conditions until expiration of the maximum term, or terms of sentence, less 180 days on March 9, 19 97 with a total of 1,499 days remaining to be served.

( ) SPECIAL  
PAROLE

is subject to a special parole term commencing \_\_\_\_\_, 19 \_\_\_\_\_ in accordance with the Drug Abuse Prevention and Control Act, 21 U.S.C. 801, et seq. with a total of \_\_\_\_\_ days remaining to be served. Upon release the above-named person is to remain under the jurisdiction of the United States Parole Commission and will be under the conditions set forth on the reverse side of this certificate until \_\_\_\_\_, 19 \_\_\_\_\_

( ) COURT  
DESIGNATED  
PAROLE

has completed service of the period of time specified by the sentencing court and is hereby released as if on parole from this institution under said sentence on \_\_\_\_\_, 19 \_\_\_\_\_ with a total of \_\_\_\_\_ days remaining to be served until maximum expiration of sentence. Said person is released by the undersigned according to Title 18, U.S.C. Section 4205 (f).

He/she is to remain within the limits of Eastern District of Wisconsin (District of Supervision)

Trudi A. Schmitt  
(Chief U.S. Probation Officer)

This certificate in no way lessens the obligations of the person being released to satisfy payment of any fine included in the sentence, nor will it prevent delivery of said person to authorities of any state otherwise entitled to custody.

I have read, or had read to me, the conditions of release printed on the reverse of this certificate and received a copy thereof, I fully understand them and know that if I violate any of them, I may be recommitted. I also understand that the law requires the Parole Commission to revoke my parole/mandatory release if I am found by the Commission to have possessed any illegal controlled substance. I also understand that special conditions may be added or modifications of any condition may be made by the United States Parole Commission upon notice required by law.

Kirk Edward Bintzler refused to sign  
(Inmate Signature)

01938-089

(Register No.)

**EXHIBIT**

Witnessed: Todd W. Cernev

Case Manager  
(Title)

(Date)

J. F. Wayman  
(Chief Executive Officer)  
Unit Manager, Dane/Waupaca Unit

Initial Risk Category: \_\_\_\_\_  
Federal Correctional Institution  
P.O. Box 500, Oxford, Wisconsin 53952  
(Institution and Location)

EACH COPY MUST BE SIGNED INDIVIDUALLY IN INK.

**CONDITIONS OF RELEASE**

1. You shall go directly to the district shown on this CERTIFICATE OF RELEASE (unless released to the custody of other authorities). Within three days after your arrival, you shall report to your parole advisor if you have one, and the United States Probation Officer whose name appears on this Certificate. If in any emergency you are unable to get in touch with your parole advisor, or your probation officer or the United States Probation Office, you shall communicate with the United States Parole Commission, Department of Justice, Chevy Chase, Maryland 20815.
2. If you are released to the custody of other authorities, and after your release from physical custody of such authorities, you are unable to report to the United States Probation Officer to whom you are assigned within three days, you shall report instead to the nearest United States Probation Officer.
3. You shall not leave the limits fixed by this CERTIFICATE OF RELEASE without written permission from your probation officer.
4. You shall notify your probation officer within 2 days of any change in your place of residence.
5. You shall make a complete and truthful written report (on a form provided for that purpose) to your probation officer between the first and third day of each month, and on the final day of parole. You shall also report to your probation officer at other times as your probation officer directs, providing complete and truthful information.
6. You shall not violate any law. Nor shall you associate with persons engaged in criminal activity. You shall get in touch within 2 days with your probation officer or the United States Probation Office if you are arrested or questioned by a law-enforcement officer.
7. You shall not enter into any agreement to act as an "informer" or special agent for any law-enforcement agency.
8. You shall work regularly unless excused by your probation officer, and support your legal dependents, if any, to the best of your ability. You shall report within 2 days to your probation officer any changes in employment.
9. You shall not drink alcoholic beverages to excess. You shall not purchase, possess, use or administer marijuana or narcotic or other habit-forming or dangerous drugs, unless prescribed or advised by a physician. You shall not frequent places where such drugs are illegally sold, dispensed, used or given away.
10. You shall not associate with persons who have a criminal record unless you have permission of your probation officer.
11. You shall not possess a firearm or other dangerous weapons.
12. You shall permit confiscation by your probation officer of any materials which your probation officer believes may constitute contraband in your possession and which your probation officer observes in plain view in your residence, place of business or occupation, vehicle(s) or on your person.
13. You shall make a diligent effort to satisfy any fine, restitution order, court costs or assessment, and/or court ordered child support or alimony payment that has been, or may be, imposed, and shall provide such financial information as may be requested, by your Probation Officer, relevant to the payment of the obligation. If unable to pay the obligation in one sum, will cooperate with your Probation Officer in establishing an installment payment schedule.
14. You shall submit to a drug test whenever ordered by your probation officer.

**SPECIAL CONDITIONS: (Applicable only if indicated)**

- ☒ You shall participate as instructed by your probation officer in a program approved by the Parole Commission for treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs.
- ☐ You shall participate in a community based program for the treatment of alcoholism as directed by your probation officer.
- ☐ You shall participate in an in-patient or an out-patient mental health program as directed by your probation officer.
- ☒ You shall reside in and participate in a program of the Community Corrections Center as instructed until discharge by the Center Director, but no later than 120 days from admission.
- ☐ Other:

This CERTIFICATE will become effective on the day of release shown on the reverse side. If the releasee fails to comply with any of the conditions listed above, the releasee may be summoned to a hearing or retaken on a warrant issued by a Commissioner of the U.S. Parole Commission and reimprisoned pending a hearing to determine if the release should be revoked.

Information concerning a releasee under the supervision of the U.S. Parole Commission may be disclosed to a person or persons who may be exposed to harm through contact with that particular releasee if such disclosure is deemed to be reasonably necessary to give notice that such danger exists. Information concerning releasees may be released to a law enforcement agency as required for the protection of the public or the enforcement of the conditions of the release.

## W A R R A N T

U.S. Department of Justice  
United States Parole Commission

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To Any Federal Officer Authorized To Serve Criminal Process Within The United States:

WHEREAS, Bintzler, Kirk E., Reg. No. 01938-089 was sentenced by the United States District Court for the E/Wisconsin to serve a sentence of 10 years for the crime of Possession of a Firearm By A Convicted Felon and was on July 29, 1993 released in accordance with Sec. 4163, Title 18, U.S.C. (Mandatory Release) from Oxford with 1,500 days remaining to be served;

AND, WHEREAS, reliable information has been presented to the undersigned Member of this Commission that said released prisoner named in this warrant has violated one or more conditions of his release;

NOW, THEREFORE, this is to command you by authority of Sec. 4213, Title 18, U.S.C., to execute this warrant by taking the above-named, wherever found in the United States, and hold him in your custody either until he is released by order of the Parole Commission, or until you are authorized to transport him for further custody.

WITNESS my hand and the seal on March 21, 1994.

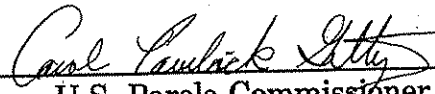
  
\_\_\_\_\_  
U.S. Parole Commissioner  
North Central Region

EXHIBIT  
D

**U.S. DEPARTMENT OF JUSTICE  
UNITED STATES PAROLE COMMISSION**
**WARRANT APPLICATION**

Case Of..... Bintzler, Kirk E.  
Reg. No..... 01938-089  
Issuing Region..... North Central Region  
Date..... March 21, 1994  
District From..... E/Wisconsin  
District To..... E/Wisconsin  
Transferred To.....  
Original Offense..... Possession of a Firearm By A Convicted Felon

FBI No..... 891900T7  
Birth Date..... January 19, 1960  
Race..... White  
M.R.-Termination Date..... September 5, 1997  
Violation Date..... December 13, 1993  
Released..... July 29, 1993  
Sentence Length..... 10 years

You shall, unless you have been convicted of a new offense, be given a preliminary interview by an official designated by a Regional Commissioner to determine if there is probable cause to believe that you have violated the conditions of your release, and if so, whether to release you or hold you for a revocation hearing.

At your preliminary interview and any subsequent revocation hearing you may present documentary evidence and voluntary witnesses on your behalf, and, if you deny the charge(s) against you, you may request the presence of those who have given information upon which the charges are based. Such witnesses will be made available for questioning unless good cause is found for their non-appearance.

You may be represented by an attorney or other representative of your choice, or, if you are unable to pay for counsel, an attorney will be provided by the U.S. District Court if you fill out and promptly return a Form CJA-22 to a U.S. Probation Officer.

If, after a revocation hearing, you are found to have violated the conditions of your release the Commission may: (1) restore you to supervision, and, if appropriate, (a) reprimand you; (b) modify your conditions of supervision; or (c) refer you to a residential community treatment center for the remainder of your sentence; or (2) revoke your parole or mandatory release, in which case the Commission will also decide when to consider you for further release.

If you have been convicted of a new offense (committed while on parole) which is punishable by a term of imprisonment, you will not receive sentence credit for the time you spent on parole. Exception: for cases heard in the 9th Circuit beginning on October 22, 1990, the Commission will exercise discretion, in accordance with 28 C.F.R. 2.52 (Appendix), prior to ordering the forfeiture of sentence credit for the time spent on parole. If the Commission finds that you absconded or otherwise refused to submit to parole supervision, the Commission may order that you not receive credit toward service of your sentence for that amount of time. (If your original sentence was imposed for violation of the District of Columbia Criminal Code, you will not receive credit for time spent on parole regardless of whether or not you have been convicted of a crime.)

A special parole term violator whose parole is revoked shall receive no credit for time spent on parole.

**CHARGES:**

Charge No. 1 - Law Violation - Burglary/Theft/Fraud - Subject burglarized a garage and stole a 1987 Porsche. The owner reported the theft on December 18, 1993. Subject subsequently falsified the ownership documents and sold the vehicle to another individual. The vehicle was recovered by the Milwaukee Wisconsin Police Department on March 18, 1994; according to USPO Robinson's letter dated March 18, 1994 and Milwaukee Wisconsin Police Report Case # 93-97746 with reports dated December 18, 1993, March 16th, 17th and March 18, 1994.

I ADMIT ☐ or DENY ☐ this charge.

Charge No. 2 - Law Violation- Possession of a Handgun/ Stun Gun- On or about March 16, 1994, subject was arrested by the Milwaukee Wisconsin Police Department, during this arrest a .38 caliber revolver was discovered along with a Nova XR5000 stun gun in the trunk of the vehicle he was driving. Subject admitted to owning the stun gun but said that he knew nothing about the revolver. Possession of the stun gun is a violation of Wisconsin law; according to USPO Robinson's letter dated March 18, 1994 and Milwaukee Wisconsin Police Department Report dated March 16, 1994.

I ADMIT ☐ or DENY ☐ this charge.

Kirk E. Bintzler Reg:01938-089  
Warrant Application

Charge No. 3 - Unauthorized Possession of Firearm (or Other Dangerous Weapon). On or about March 16, 1994, subject was found in possession of .38 caliber Armscor revolver and a Nova XR5000 stun gun. Police found both weapons in the trunk of the vehicle the subject was driving; according to USPO Robinson's letter dated March 18, 1994 and Milwaukee Wisconsin Police Department Report dated March 16, 1994.

I ADMIT ☐ or DENY ☐ this charge.

Preliminary Interview Is Required Unless Convicted

Warrant Request Received..... March 18, 1994  
Warrant Issued..... March 21, 1994  
District Sent To..... E/Wisconsin

Warrant Recommended By:

*Daisy L. Crockett*  
for Daisy L. Crockett, Case Analyst  
North Central Regional Office, U.S. Parole Commission

( ☒ ) Commission      ( ☐ ) Inmate      ( ☐ ) Institution      ( ☐ ) USPO      ( ☐ ) Interviewing Officer      ( ☐ ) Chron

PSH



**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF WISCONSIN  
PROBATION OFFICE

TRUDI A. SCHMITT  
CHIEF PROBATION OFFICER

517 E. WISCONSIN AVE.  
604 FEDERAL BUILDING  
MILWAUKEE, WI 53202  
PHONE: 414-297-1425  
FAX: 414-297-1989

May 19, 1994

Ms. Irma Huseman  
Senior Case Analyst  
U. S. Parole Commission  
North Central Region  
Air World Center  
10920 Ambassador Drive, Suite 220  
Kansas City, MO 64153

**RE: BINTZLER, Kirk**  
**Register No. 01938-089**  
**FCI Oxford**  
**Expiration: 3/9/97**  
**SUPPLEMENT TO 3/31/94**  
**VIOLATION REPORT (SECOND**  
**SUPPLEMENT)**

Dear Ms. Huseman:

Enclosed is a criminal complaint (case no. F-940965) and docket sheets indicating this case is scheduled for a pre-trial conference on 6/23/94 and a jury trial on 7/11/94. Mr. Bintzler remains in custody, having not posted the \$1,000.00 cash bail for this case.

Additionally, Assistant U. S. Attorney Mel Johnson reports an ATF investigation regarding this incident has been completed and the U. S. Attorneys Office is considering the possibility of issuing federal charges against Mr. Bintzler.

I will keep you updated regarding the state and possible federal charges against Mr. Bintzler. If you have any questions please contact me at (414)297-1914.

Sincerely yours,

*Frederic T. Robinson*

Frederic T. Robinson  
U. S. Probation Officer

FTR:chg

**EXHIBIT**

E

*Ticker  
7-30-94  
Status &  
trial  
1/11*

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF WISCONSIN  
PROBATION OFFICE

TRUDI A. SCHMITT  
CHIEF PROBATION OFFICER

517 E. WISCONSIN AVE.  
604 FEDERAL BUILDING  
MILWAUKEE, WI 53202  
PHONE: 414-297-1425  
FAX: 414-297-1989

August 1, 1994

Ms. Irma Huseman  
Senior Case Analyst  
U. S. Parole Commission  
North Central Region  
Air World Center  
10920 Ambassador Drive, Suite 220  
Kansas City, MO 64153

**RE: BINTZLER, Kirk**  
**Register No: 01938-089**  
**FCI Oxford**  
**Expiration: 3/9/97**  
**Supplement to 3/31/94**  
**VIOLATION REPORT (3RD**  
**SUPPLEMENT)**

Dear Ms. Huseman:

Enclosed is an Indictment filed in the United States District Court for the Eastern District of Wisconsin on 6/14/94. On 7/1/94, Mr. Bintzler appeared for arraignment and plea and was ordered returned to state custody with the federal charges filed as a detainer.

Also enclosed are reports prepared by the Bureau of Alcohol, Tobacco, and Firearms regarding these charges.

Please note Count Two of the Indictment is the violation cited in the 3/18/94 violation report and in the 3/21/94 warrant application. Count One would represent a separate offense and based on this new information, the commission may wish to amend the warrant application.

**EXHIBIT**

F

Ms. Irma Huseman  
August 1, 1994  
Page 2

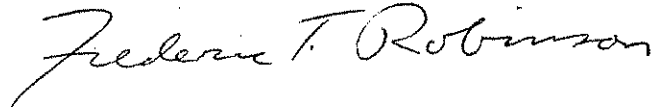
RE: BINTZLER, Kirk  
VIOLATION REPORT  
(3RD SUPPLEMENT)

**Additional Violation:**

From on or about 12/10/93 to on or about 2/26/94, in Milwaukee, Wisconsin, Mr. Bintzler possessed a .380 caliber Manurhin, PPK-S model pistol, in violation of the Federal Firearms Act and Wisconsin State Law, and all in violation of Condition Six of his mandatory release.

If you have any further questions, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Frederic T. Robinson".

Frederic T. Robinson  
U. S. Probation Officer

FTR:chg

Enclosure



**U.S. DEPARTMENT OF JUSTICE**  
**UNITED STATES PAROLE COMMISSION**
**SUPPLEMENT**

Case Of..... BINTZLER, Kirk  
 Reg. No..... 01938-089  
 FBI No..... 891900T7  
 Race..... White

Issuing Region..... North Central Region  
 Date..... September 22, 1994  
 Birth Date..... January 19, 1960

SUPPLEMENT TO WARRANT APPLICATION DATED March 21, 1994

**CHARGES:**

**Charge No. 4 Law Violation - Possession of a Dangerous Weapon (Firearm)** - On or about December 10, 1993, subject was in possession of a Manurhin/Walther .380 caliber pistol. Subject purchased the pistol from Marianne Kutz for \$200 and gave her a hand written receipt using the alias signature of "Frank Adams"; according to USPO Robinson's letter dated August 1, 1994 and Bureau of Alcohol, Tobacco and Firearms Report #33435 94 0032 P.

I ADMIT ☐ or DENY ☐ this charge.

**Charge No. 5 - Unauthorized Possession of Firearm (or Other Dangerous Weapon).** On or about December 10, 1993, subject was found in possession of Manurhin/Walther .380 caliber pistol; according to USPO Robinson's letter dated August 1, 1994 and Bureau of Alcohol, Tobacco and Firearms Report #33435 94 0032 P.

I ADMIT ☐ or DENY ☐ this charge.

Warrant Issued..... March 21, 1994  
 District Sent To..... E/Wisconsin

Warrant Recommended By:

*P. Shawn Hughes*

P. Shawn Hughes, Case Analyst Trainee  
 North Central Regional Office, U.S. Parole Commission

( ☒ ) Commission ( ) Inmate ( ) Institution ( ) USPO ( ) Interviewing Officer ( ) Chron

**EXHIBIT**

6

A0 245 S (Rev. 4/90) Sheet 1 - Judgment in a Criminal Case

## UNITED STATES DISTRICT COURT

U.S. DIST. COURT EAST DIST. WI.	
FILED	
NOV 18 1994	
AT	O'CLOCK
SOFRON B. NEDILSKY	

EASTERN District of WISCONSINUNITED STATES OF AMERICA  
V.JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

KIRK E. BINTZLER

Case Number: 04-CR-787

(Name of Defendant)

Michael Barth  
Defendant's Attorney

## THE DEFENDANT:

[x] pleaded guilty to count(s) One after a  
 [ ] was found guilty on count(s) \_\_\_\_\_  
 plea of not guilty.  
 Accordingly, the defendant is adjudged guilty of such count, which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. § 922(g)(1)	unlawful possession of a firearm by a convicted felon	2-26-94	1

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

[ ] The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).  
 [x] Count Two is dismissed on the motion of the United States.  
 [x] It is ordered that the defendant shall pay a special assessment of \$ 50.00 for count(s) One, which shall be due [ ] immediately [x] as follows:  
 within one year of November 9, 1994.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 392-72-5577Defendant's Date of Birth: January 1, 1960

Defendant's Mailing Address:

Milwaukee County Jail  
821 West State Street  
Milwaukee, WI 53233

Defendant's Residence Address:

2573 South Burrell Street  
Milwaukee, WI 53207
U.S. District Court  
Eastern Div. of Wis.

I hereby certify that this is a true and correct copy of the original now remaining of record in my office.

November 9, 1994  
Date of Imposition of Sentence
Thomas J. Curran  
 Signature of Judicial Officer  
 Thomas J. Curran  
 United States District Judge  
 Name & Title of Judicial Officer

Date

Copy mailed to attorneys for parties by the Court pursuant to Rule 49(c) Federal Rules of Criminal Procedure.

SOFRON B. NEDILSKY, Clerk

DATED:

11/21/94 By C. D. Smith Deputy

EXHIBIT

Judgment--Page 2 of 5

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 75 months.

[x] The court makes the following recommendations to the Bureau of Prisons:  
that the defendant be imprisoned at FCI Oxford, Oxford, Wisconsin.

[x] The defendant is remanded to the custody of the United States Marshal.  
[ ] The defendant shall surrender to the United States Marshal for this district.

☐ at \_\_\_\_\_ a.m.  
☐ at \_\_\_\_\_ p.m. on \_\_\_\_\_  
☐ as notified by the United States Marshal.  
☐ The defendant shall surrender for service of sentence at the institution designated by the  
 Bureau of Prisons,  
☐ before 2 p.m. on \_\_\_\_\_  
☐ as notified by the United States Marshal.  
☐ as notified by the probation office.

## RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of  
this judgment.

United States Marshal

By \_\_\_\_\_  
Deputy Marshal

AO 245 S (Rev.4/90) Sheet 3 - Supervised Release

Defendant: Kirk E. Bintzler  
Case Number: 94-CR-87

Judgment--Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- [x] The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- [x] The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- [x] The defendant shall not possess a firearm or destructive device.
- [x] The defendant is to participate in a program of testing and residential or outpatient treatment for drug and alcohol abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

AO 245 S (Rev. 4/90) Sheet 5 - Fine

Defendant: Kirk E. Bintzler  
Case Number: 94-CR-87Judgment--Page 4 of 5**FINE**The defendant shall pay a fine of \$1,500.00.

[ ] This amount is the total of the fines imposed on individual counts, as follows:

[ ] The court has determined that the defendant does not have the ability to pay interest, it is ordered that:

[ ] The interest requirement is waived.

[ ] The interest requirement is modified as follows:

[x] The court has determined that the defendant does not have the financial ability to pay interest on the fine or the costs of incarceration, community confinement, and supervision, and waives the interest on the fine, the costs of incarceration, community confinement, and supervision in this case.

This fine plus any interest required shall be paid:

[ ] in full immediately.

[ ] in full not later than \_\_\_\_\_.

[ ] in equal monthly installments over a period of \_\_\_\_\_ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.

[x] in installments according to the following schedule of payments:

The court further determines that the Defendant is to participate in the Federal Bureau of Prisons Inmate Financial Responsibility Program not to exceed 50% of his/her earnings. Payments are to apply first to the special assessment and thereafter to the fine until paid in full. During the supervised release period any unpaid balance is to be paid in installments as set forth by the court. The probation officer is to meet with the defendant periodically for the purpose of suggesting an appropriate installment payment. The court retains supervision and control over the defendant and any problems encountered in the enforcement of this order, by either the probation department or the defendant, is to be brought to the attention of the court for resolution.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

AO 245 S (Rev.4/90) Sheet 7 - Statement of Reasons

Defendant: Kirk E. Bintzler  
Case Number: 94-CR-87

Judgment--Page 5 of 5

**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

**Guideline Range Determined by the Court:**

Total Offense Level: 22

Criminal History Category: IV

Imprisonment Range: 63 to 78 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 7,500.00 to \$ 75,000.00

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ \_\_\_\_\_

☐ Full restitution is not ordered for the following reason(s)

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by the application of the guidelines.

OR

☒ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): the defendant has a prior conviction for a similar offense as well as escape and sexual assault.

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reasons:



**U.S. DEPARTMENT OF JUSTICE  
UNITED STATES PAROLE COMMISSION**

**SUPPLEMENT**

Case Of..... BINTZLER, Kirk E.  
Reg. No..... 01938-089  
FBI No..... 891900T7  
Race..... White

Issuing Region..... North Central Region  
Date..... December 14, 1994  
Birth Date..... January 19, 1960

**SUPPLEMENT TO WARRANT APPLICATION DATED March 21, 1994**

**CHARGES:**

Reference Charge #4 - On or about November 9, 1994, subject pled guilty to one count of Unlawful Possession of a Firearm by a Convicted Felon in the United States District Court in the Eastern District of Wisconsin. Subject was sentenced to 75 months custody of the Bureau of Prisons with a 3 year term of supervised release to follow; according to USPO Robinson's letter dated December 1, 1994 and the Judgment and Commitment Order from the U.S. District Court from the Eastern Wisconsin Case # 94-CR-87 dated November 9, 1994.

I ADMIT ☐ or DENY ☐ this charge.

Warrant Issued..... March 21, 1994  
District Sent To..... E/Wisconsin

Warrant Recommended By:

*P. Shawn Hughes*  
P. Shawn Hughes, Case Analyst Trainee

North Central Regional Office, U.S. Parole Commission

☒ Commission    ( ) Inmate    ( ) Institution    ( ) USPO    ( ) Interviewing Officer    ( ) Chron

**EXHIBIT**

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF WISCONSIN  
PROBATION OFFICE

TRUDI A. SCHMITT  
CHIEF PROBATION OFFICER

517 E. WISCONSIN AVE.  
604 FEDERAL BUILDING  
MILWAUKEE, WI 53202  
PHONE: 414-297-1425  
FAX: 414-297-1989

August 24, 1995

Ms. Carol Wilson Mueller  
Senior Case Analyst  
U. S. Parole Commission  
North Central Region  
North Pointe Tower, Suite 700  
10220 North Executive Hills Blvd.  
Kansas City, MO 64153

1995 AUG 29 AM 3:01  
U.S. PAROLE  
COMMISSION  
NORTH CENTRAL REGION

RE: **BINTZLER, Kirk**  
**Register No. 01938-089**  
**Special Report to the Commission**

Dear Ms. Wilson Mueller:

On June 21, 1995, following a finding of guilty in a jury trial, Mr. Bintzler appeared in Milwaukee County Circuit Court, Branch 43 CR for sentencing in case no. F-940965. He was sentenced to ten years imprisonment for theft and also sentenced to five years imprisonment for each of two counts for false statements to be served concurrently to each other but consecutive to the theft charge for a total sentence of 15 years. Please note the original judgment of conviction listed the ten year sentence as consecutive to the federal sentence. On June 22, 1995, the Court amended the judgment to "delete reference to the sentence running consecutive to defendant's federal sentence, however, it is not to be construed as the sentence being concurrent."

Mr. Bintzler is currently incarcerated in the Waupun Correctional Institution (Inmate No. 116149), Post Office Box 351, Waupun, WI 53963-0351, telephone (414)324-5571. Mr. Bintzler currently has a parole eligibility date of March 15, 1999, but he is making attempts to see the Parole Board earlier in the hopes he will be paroled to his 75 month federal prison sentence.

**EXHIBIT**

*W/ Supplemented*  
*Detained at Waupun Wisconsin*  
*Per 025 R for Disposition*  
*C. Smith*



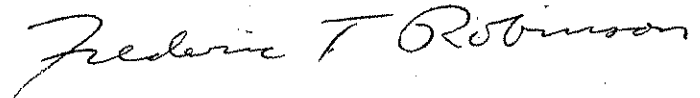
Ms. Carol Wilson Mueller  
August 24, 1995  
Page 2

RE: BINTZLER, Kirk

Enclosed is the judgment of conviction, the June 22, 1995 amendment and the criminal complaint.

If you have any further questions, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Frederic T. Robinson".

Frederic T. Robinson  
U. S. Probation Officer

FTR:chg

**U.S. DEPARTMENT OF JUSTICE  
UNITED STATES PAROLE COMMISSION**

**SUPPLEMENT**

Case Of: BINTZLER, Kirk  
Reg. No: 01938-089  
FBI No: 891900T7  
Birth Date: 1-19-60  
Race: White  
Date: November 28, 1997  
Issuing Region: Eastern Region

**SUPPLEMENT TO WARRANT APPLICATION DATED March 21, 1994**

**CHARGES:**

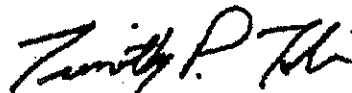
**Reference Charge No. 1 - Theft; False Statements**

On or about 6-21-95, after having been found guilty of the above-cited offenses, subject was sentenced to an aggregate 15 year term of imprisonment. Information contained in Milwaukee County Circuit Court Branch 43 Judgment dated 6-21-95. This charge is based on information contained in the letter dated 8-24-95 from USPO Robinson.

I ADMIT [ ] or DENY [ ] this charge.

Warrant Issued: March 21, 1994  
District Sent To: Eastern District of Wisconsin

Warrant Recommended By:



Timothy P. Tobin, Case Analyst  
U.S. Parole Commission,

**EXHIBIT**



**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

5550 Friendship Boulevard  
Chevy Chase, Maryland 20815-7201  
Telephone: (301) 492-5821  
Facsimile: (301) 492-5525

September 2, 1998

Warden  
Waupun Correctional Institution  
P.O. Box 351  
Waupun, WI 53963

**Re: Bintzler, Kirk E.  
Reg. No. 01938-089  
State No. 116149  
DOB: 01/19/1960**

Dear Warden:

The above-named individual, who is presently serving a sentence in your institution, is wanted by this office as a parole violator.

The U.S. Parole Commission issued a violator warrant on March 21, 1994, which has been placed as a detainer against Mr. Bintzler at your institution.

Pursuant to Title 18 USC 4214(b)(1), the Commission will conduct a dispositional record review of this case to determine whether the violator warrant should remain as a detainer. This is not an in-person hearing.

Enclosed is a Parole Form H-13, Notice of Pending Dispositional Review on the Record and Form CJA-22, Appointment of Counsel Under the Criminal Justice Act, both of which should be completed by Mr. Bintzler and returned to this office.

If Mr. Bintzler wishes the services of a court-appointed attorney to submit his comments relative to the Commission's review of the detainer, Form CJA-22 must be completed in its entirety.

**EXHIBIT**

1

It is requested that the enclosed State Sentence and Parole Information sheet be completed and returned to this office with the Form H-13 and Form CJA-22. Please be advised that any information submitted by your office may be disclosed to the inmate.

Your cooperation is appreciated.

Sincerely,

  
Sharon A. Gervasoni  
Attorney

Enclosures

1. Form H-13
2. Form CJA-22
3. State Sentence and Parole Information Form

tvh

**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

**Notice Pending Dispositional  
Review On The Record**

Name: Bintzler, Kirk E.

Reg. No. 01938-089

Federal Institution From Which Released: Oxford

Type of Above Release: Mandatory Release Date of Above Release: 7/29/1993

Federal Warrant Issued: 3/21/1994 USPC Advised of Detainer: 9/2/1998

District of Supervision: Eastern District of Wisconsin

Length of Term For Which Confined: 15 years

This is to notify you that a parole violator warrant has been issued by the United States Parole Commission and placed against you as a detainer. The Commission will review such detainer on the basis of your file record and make an appropriate disposition.

Following the dispositional review, the Commission may let the warrant stand as a detainer and either: (1) if you are serving a state or local sentence, order that a revocation hearing be scheduled upon your return to a federal institution or order a revocation hearing to be conducted at the facility where you are confined; or (2) if you are serving a federal sentence, order that the revocation hearing be scheduled to coincide with the initial hearing on the new federal sentence (if you are eligible for parole on the new term), or upon your release from the new sentence, whichever comes first. The Commission may also decide to withdraw the warrant, and order your reinstatement to parole supervision.

If you wish to make a statement on the disposition of the detainer, complete and submit the application on the reverse side of this notice. You may have an attorney assist you with its preparation. If you cannot afford your own attorney and desire one, you may request that the United States District Court appoint one for you for this purpose, using Form CJA-22.

For the Commission to consider your comments as part of the record review, you should mail the completed forms no later than October 2, 1998. Otherwise, the Commission may conduct the review without your application and comments. You may seek an extension of time to submit your application by mailing a request for an extension no later than the deadline noted above.

**Dispositional Review on the Record**

**Waiver**

\_\_\_\_\_ I do not wish to submit an application. I understand that a dispositional review will be conducted by the U.S. Parole Commission without such application.

---

**Application**

**Attorney Assistance**

For the purpose of assisting me in the completion of this application (initial one of the following):

\_\_\_\_\_ I do not wish the services of an attorney. Consider this as my application.

\_\_\_\_\_ I will obtain the services of my own attorney and will submit an application at a later date.

\_\_\_\_\_ I wish the service of an attorney but cannot afford to obtain one, and therefore ask that the court appoint an attorney to assist me. (Form CJA-22 must be completed to make such a request - see instructions below). My application will be submitted at a later date. Request is made pursuant to 18 U.S.C. 4214(b)(1).

---

I wish to offer the following information to the U.S. Parole Commission to consider during its review of my detainer (use a separate sheet if needed).

---

Witness

Signature

Date

**Instructions**

The Warden or Superintendent is requested to return this waiver or application to the U.S. Parole Commission after completion by the prisoner. The enclosed Form CJA-22 should also be presented to the prisoner and returned to the U.S. Parole Commission after completion with this waiver/application.

## APPOINTMENT OF COUNSEL UNDER THE CRIMINAL JUSTICE ACT

STATEMENT OF PAROLEE OR MANDATORY RELEASEE CONCERNING  
APPOINTMENT OF COUNSEL UNDER THE CRIMINAL JUSTICE ACT

I, Kirk E. Bintzler, having been fully advised of the charges against me and of my rights as set forth in the attached copy of the Notice of Pending Dispositional Review, understand that I may apply to the United States District Court for appointment of counsel to assist or represent me in this matter before the United States Parole Commission, and that such representation by counsel will be furnished to me if the judicial officer determines I am financially unable to obtain attorney representation.

Pursuant to such notification concerning appointment of counsel,

☐ I do not wish to apply to the District Court for appointment of counsel.

☐ I do hereby apply to the District Court for appointment of counsel and in connection with this application, I state as follows concerning my financial condition:

I am ☐ Employed ☐ Unemployed

\$ \_\_\_\_\_

Cash on hand and in the bank

\$ \_\_\_\_\_

If employed, state weekly income

\$ \_\_\_\_\_

If self-employed, state average weekly income

\_\_\_\_\_

Number of dependents

\_\_\_\_\_

Property owned

(Complete each line above)

I certify the above to be correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

A false or dishonest answer to a question in this application may be punishable by fine or imprisonment or both (18 U.S.C. 1001).

**STATE SENTENCE AND PAROLE INFORMATION**

**TO:** United States Parole Commission  
5550 Friendship Boulevard  
Chevy Chase, MD 20815

**ATTN:** Sharon A. Gervasoni  
Attorney

**DATE:** September 2, 1998

Bintzler, Kirk E.  
Reg. No. 01938-089  
State No. 116149

Please complete the following information and return this form and copies of discipline reports in the enclosed envelope. If you have any questions, please call 301-492-5959.

1. Prisoner's Name: \_\_\_\_\_
2. State No: \_\_\_\_\_
3. Date Sentenced: \_\_\_\_\_
4. Sentence Length: \_\_\_\_\_
5. Sentencing Court: \_\_\_\_\_
6. Offense(s): \_\_\_\_\_
7. Date Eligible for Parole: \_\_\_\_\_
8. If not paroled, earliest date the prisoner may be released to the community on good time credits: \_\_\_\_\_
9. Full Term Date (including supervision): \_\_\_\_\_
10. The prisoner ☐ has ☐ has not maintained a clear conduct record.
11. This office ☐ has ☐ does not have a U.S. Marshal detainer on file for the prisoner.

Name	Title	Date
------	-------	------

Telephone: \_\_\_\_\_



**U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission**

**Notice Pending Dispositional  
Review On The Record**

Name: Bintzler, Kirk E. Reg. No. 01938-089  
Federal Institution From Which Released: Oxford  
Type of Above Release: Mandatory Release Date of Above Release: 7/29/1993  
Federal Warrant Issued: 3/21/1994 USPC Advised of Detainer: 9/2/1998  
District of Supervision: Eastern District of Wisconsin  
Length of Term For Which Confined: 15 years

This is to notify you that a parole violator warrant has been issued by the United States Parole Commission and placed against you as a detainer. The Commission will review such detainer on the basis of your file record and make an appropriate disposition.

Following the dispositional review, the Commission may let the warrant stand as a detainer and either: (1) if you are serving a state or local sentence, order that a revocation hearing be scheduled upon your return to a federal institution or order a revocation hearing to be conducted at the facility where you are confined; or (2) if you are serving a federal sentence, order that the revocation hearing be scheduled to coincide with the initial hearing on the new federal sentence (if you are eligible for parole on the new term), or upon your release from the new sentence, whichever comes first. The Commission may also decide to withdraw the warrant, and order your reinstatement to parole supervision.

If you wish to make a statement on the disposition of the detainer, complete and submit the application on the reverse side of this notice. You may have an attorney assist you with its preparation. If you cannot afford your own attorney and desire one, you may request that the United States District Court appoint one for you for this purpose, using Form CJA-22.

For the Commission to consider your comments as part of the record review, you should mail the completed forms no later than October 2, 1998. Otherwise, the Commission may conduct the review without your application and comments. You may seek an extension of time to submit your application by mailing a request for an extension no later than the deadline noted above.

**EXHIBIT**

Dispositional Review on the Record

H-13

Waiver

\_\_\_\_\_ I do not wish to submit an application. I understand that a dispositional review will be conducted by the U.S. Parole Commission without such application.

Application

Attorney Assistance

For the purpose of assisting me in the completion of this application (initial one of the following):

\_\_\_\_\_ I do not wish the services of an attorney. Consider this as my application.

\_\_\_\_\_ I will obtain the services of my own attorney and will submit an application at a later date.

☒ I wish the service of an attorney but cannot afford to obtain one, and therefore ask that the court appoint an attorney to assist me. (Form CJA-22 must be completed to make such a request - see instructions below). My application will be submitted at a later date. Request is made pursuant to 18 U.S.C. 4214(b)(1).

I wish to offer the following information to the U.S. Parole Commission to consider during its review of my detainer (use a separate sheet if needed).

After Appointment will have counsel submit  
Application *[Signature]*

*Don Beerlamm* 9-10-98  
Witness Social Worker

*[Signature]* 9-10-98  
Signature Date

Instructions

The Warden or Superintendent is requested to return this waiver or application to the U.S. Parole Commission after completion by the prisoner. The enclosed Form CJA-22 should also be presented to the prisoner and returned to the U.S. Parole Commission after completion with this waiver/application.

## APPOINTMENT OF COUNSEL UNDER THE CRIMINAL JUSTICE ACT

STATEMENT OF PAROLEE OR MANDATORY RELEASEE CONCERNING  
APPOINTMENT OF COUNSEL UNDER THE CRIMINAL JUSTICE ACT

I, Kirk E. Bintzler, having been fully advised of the charges against me and of my rights as set forth in the attached copy of the Notice of Pending Dispositional Review, understand that I may apply to the United States District Court for appointment of counsel to assist or represent me in this matter before the United States Parole Commission, and that such representation by counsel will be furnished to me if the judicial officer determines I am financially unable to obtain attorney representation.

Pursuant to such notification concerning appointment of counsel,

☐

I do not wish to apply to the District Court for appointment of counsel.

☒

I do hereby apply to the District Court for appointment of counsel and in connection with this application, I state as follows concerning my financial condition:

I am ☐ Employed ☐ Unemployed

\$48.76 Regular Account

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Complete each line above)

Cash on hand and in the bank

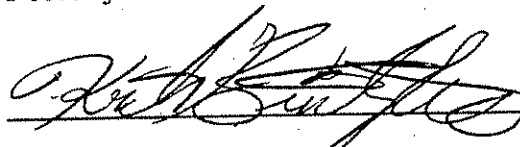
If employed, state weekly income

If self-employed, state average weekly income

Number of dependents

Property owned

I certify the above to be correct.



Signature of Applicant

Don Beedham - Social Worker

Witness

Signature

Date

9-10-98

A false or dishonest answer to a question in this application may be punishable by fine or imprisonment or both (18 U.S.C. 1001).

## STATE SENTENCE AND PAROLE INFORMATION

TO: United States Parole Commission  
5550 Friendship Boulevard  
Chevy Chase, MD 20815

ATTN: Sharon A. Gervasoni  
Attorney

DATE: September 2, 1998

Bintzler, Kirk E.  
Reg. No. 01938-089  
State No. 116149

Please complete the following information and return this form and copies of discipline reports in the enclosed envelope. If you have any questions, please call 301-492-5959.

1. Prisoner's Name: Kirk BINTZler
2. State No: 116149
3. Date Sentenced: 6-20-1995
4. Sentence Length: 15 yrs.
5. Sentencing Court: Circuit Court Branch 43. Milwaukee Co.
6. Offense(s): Theft, False Statement Application For
7. Date Eligible for Parole: 3-15-99 Certificate of Title
8. If not paroled, earliest date the prisoner may be released to the community on good time credits: Mandatory Release date: 6-14-2005
9. Full Term Date (including supervision): MAXimum Discharge Date. 6-15-2010
10. The prisoner ☒ has ☐ has not maintained a clear conduct record.
11. This office ☒ has ☐ does not have a U.S. Marshal detainer on file for the prisoner.

Don Beerbaum - Social Worker 9-10-98

Name	Title	Date
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Telephone: 920-324-7183



U.S. DEPARTMENT OF JUSTICE  
United States Parole Commission

5550 Friendship Boulevard  
Chevy Chase, Maryland 20815-7201  
Telephone: (301) 492-5821  
Facsimile: (301) 492-5525

January 19, 1999

Mr. Michael R. Barth  
Attorney At Law  
W501 Honeycreek Rd.  
Burlington, WI 53105

Re: Bintzler, Kirk  
Reg. No. 01938-089

Dear Mr. Barth:

The Parole Commission will soon be reviewing Mr. Bintzler's case on the record to determine whether a parole violator warrant should remain placed against him as a detainer. See 18 U.S.C. § 4214(b)(1). We have been advised by the U.S. District Court that you have been appointed as counsel to assist the prisoner in preparing his application for the dispositional review.

Enclosed is a copy of a warrant application outlining the violation charges and Parole Form H-13, which the Commission uses to evaluate the prisoner's request for relief. The dispositional review will be completed on or about March 19, 1999. Please submit your comments with the completed Form H-13 no later than February 19, 1999. If the Commission does not receive your submission by this deadline, or a written request for an extension of time to complete the application, it will proceed with the review based on the present administrative record. Mr. Bintzler is presently confined in the Waupun Correctional Institutional, P.O. Box 351, Waupun, WI 53963.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Gervasoni".

Sharon A. Gervasoni  
Attorney

Enclosure

tct

EXHIBIT

**U.S. Department of Justice**  
United States Parole Commission  
5550 Friendship Boulevard  
Chevy Chase, Maryland 20815-7201

**Notice of Action**

Name: BINTZLER, Kirk E.

Register Number: 01938-089  
State Number: 116149

Institution: Waupun Correctional Institution

In the case of the above-named, the following parole action was ordered:

Let the Detainer Stand.

**THE ABOVE DECISION IS NOT APPEALABLE.**

**ATTN:** Waupun Correctional Institution  
P.O. Box 351  
Waupun, WI 53963

cc: Michael R. Burth  
Attorney at Law  
W501 Honeycreek Rd.  
Burlington, WI 53105

Chicago CCM  
200 West Adams  
Suite 2915  
Chicago, IL 60606

**EXHIBIT**

Date: March 19, 1999

Clerk: trw